

2016 No. 1016 (C. 72)

DEREGULATION

INSOLVENCY, ENGLAND AND WALES

INDIVIDUALS

**The Deregulation Act 2015 (Commencement No. 6 and Savings
Provision) Order 2016**

Made - - - -

19th October 2016

The Secretary of State, in exercise of the powers conferred by sections 115(7) and (9) of the Deregulation Act 2015(a), makes the following Order.

Citation

1. This Order may be cited as the Deregulation Act 2015 (Commencement No. 6 and Savings Provision) Order 2016.

Provisions coming into force on 6th April 2017

2. The day appointed for the coming into force of the following provisions of the Deregulation Act 2015 in England and Wales is 6th April 2017—

- (a) section 19 so far as it relates to the paragraphs of Schedule 6 referred to in sub-paragraph (b); and
- (b) paragraphs 13(1), 14 and 15 of Schedule 6(b).

Savings provision

3. The Insolvency Act 1986(c) continues to apply without the amendments made by paragraph 15 of Schedule 6 to the Deregulation Act 2015 where a bankruptcy order is made before the 6th April 2017 and the bankrupt is required to submit a statement of affairs.

Margot James

Minister for Small Business, Consumers, and Corporate Responsibility
Department for Business, Energy and Industrial Strategy

19th October 2016

(a) 2015 c.20.
(b) Paragraph 13(2) contains an amendment which is conditional on the repeal of section 286(2) of the Insolvency Act 1986 (c.45) not having been commenced before paragraph 13(1) is commenced. Section 286(2) was repealed by paragraph 17(2) of Schedule 19 to the Enterprise and Regulatory Reform Act 2013. As the repeal was commenced on 6th April 2016 (S.I. 2016/191) paragraph 13(2) is now defunct.
(c) 1986 c.45.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force specified provisions of the Deregulation Act 2015 (“the Act”). This is the sixth commencement order made under the Act. Some provisions came into force on the passing of the Act and some two months after that date. The provisions commenced by this Order relate to the bankruptcy provisions of the Insolvency Act 1986 (c. 45) which only extend to England and Wales.

Article 2 commences section 19 and paragraphs 13(1) and 14 of Schedule 6 of the Act (which amend the Insolvency Act). Paragraph 13(1) amends section 286 of the Insolvency Act to enable the appointment of an insolvency practitioner as an interim receiver after the presentation of a creditor’s bankruptcy petition (currently only the official receiver can be appointed). Paragraph 14 makes a consequential amendment.

Article 2 also commences paragraph 15 of Schedule 6 of the Act which replaces the requirement in a bankruptcy based on a creditor’s petition to submit a statement of affairs to the official receiver with a power for the official receiver to require a statement of affairs.

Article 3 makes savings provision for bankruptcies where the order is made before the day appointed for commencement of the provisions listed in Article 2 and a bankrupt is required to submit a statement of affairs.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by earlier commencement orders.

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (so far as not already in force)	1st October 2015	2015/1732
Section 2	1st October 2015	2015/994
Section 3 (so far as not already in force)	26th May 2015	2015/994
Section 4	26th May 2015	2015/994
Section 5	26th May 2015	2015/994
Section 6	1st October 2015	2015/994
Section 7	1st October 2015	2015/994
Section 8(1), (3) and (4) (so far as not already in force)	8th June 2015	2015/994
Section 9	30th June 2015	2015/994
Section 10	1st October 2015	2015/994
Section 11	1st October 2015	2015/994
Section 12	1st October 2015	2015/994
Section 14	26th May 2015	2015/994
Section 15	1st October 2015	2015/1732
Section 17	1st October 2015	2015/1732
Section 18	1st October 2015	2015/1732
Section 19 (partially)	1st October 2015	2015/1732
Section 33	1st October 2015	2015/994
Section 34	1st October 2015	2015/994

Section 35	1st October 2015	2015/994
Section 36	1st October 2015	2015/994
Section 37	1st July 2015	2015/994
Section 38 (partially)	1st July 2015	2015/994
Section 38 (so far as not already in force)	1st October 2015	2015/994
Section 39 (partially)	1st July 2015	2015/994
Section 39 (so far as not already in force)	1st October 2015	2015/994
Section 40	1st October 2015	2015/994
Section 41	1st October 2015	2015/994
Section 44	26th May 2015	2015/994
Section 45	26th May 2015	2015/994
Section 48	1st April 2015	2015/994
Section 49 (so far as not already in force)	1st October 2015	2015/994
Section 51(b) (so far as not already in force)	30th June 2015	2015/994
Section 51(f) (so far as not already in force)	8th June 2015	2015/994
Section 51(g)	1st October 2015	2015/994
Section 52(a)	10th April 2015	2015/994
Section 53 (so far as not already in force)	1st April 2015	2015/994
Section 58 (so far as not already in force)	15th June 2015	2015/994
Section 59 (partially)	1st October 2015	2015/1732
Section 59(c)	26th May 2015	2015/994
Section 62 (so far as not already in force)	6th April 2015	2015/994
Section 63 (so far as not already in force)	6th April 2015	2015/994
Section 66(1) to (4)	1st October 2015	2015/1732
Section 66(5) (partially)	1st January 2016	2015/1732
Section 66(5) (remainder)	1st January 2016	2015/2074
Section 68	26th May 2015	2015/994
Section 69	1st April 2015	2015/994
Section 70	26th May 2015	2015/994
Section 71	1st October 2015	2015/1732
Section 72	26th May 2015	2015/994
Section 76	6th April 2015	2015/994
Section 77	26th May 2015	2015/994
Section 78	26th May 2015	2015/994
Section 80	26th May 2015	2015/994
Section 81	26th May 2015	2015/994
Section 82	26th May 2015	2015/994
Section 86	29th June 2015	2015/1402
Section 87	29th June 2015	2015/1402
Section 88	29th June 2015	2015/1402
Section 89	29th June 2015	2015/1402
Section 90 (partially, so far as not already in force)	20th April 2015	2015/994
Section 90 (so far as not already in force)	26th May 2015	2015/994
Section 91	2nd March 2016	2016/206
Section 93	26th May 2015	2015/994
Section 94	1st January 2016	2015/1732
Section 95	1st January 2016	2015/1732
Section 96	26th May 2015	2015/994
Schedule 1, Part 1 (so far as not already in force)	26th May 2015	2015/994

Schedule 1, Part 2	26th May 2015	2015/994
Schedule 2, Part 2 (so far as not already in force)	8th June 2015	2015/994
Schedule 2, Part 3, paragraphs 30, 32 and 33	8th June 2015	2015/994
Schedule 3	30th June 2015	2015/994
Schedule 5	1st October 2015	2015/1732
Schedule 6, Part 1	1st October 2015	2015/1732
Schedule 6, Part 2, paragraphs 4, 6, and 7	1st October 2015	2015/1732
Schedule 6, Part 3	1st October 2015	2015/1732
Schedule 6, Part 4	1st October 2015	2015/1732
Schedule 6, Part 5, paragraphs 12 (partially) and 16	1st October 2015	2015/1732
Schedule 6, Part 6	1st October 2015	2015/1732
Schedule 8 (so far as not already in force)	1st October 2015	2015/994
Schedule 10, Part 2 (so far as not already in force)	30th June 2015	2015/994
Schedule 10, Part 6 (so far as not already in force)	8th June 2015	2015/994
Schedule 10, Part 7	1st October 2015	2015/994
Schedule 11, Part 1	10th April 2015	2015/994
Schedule 12 (so far as not already in force)	15th June 2015	2015/994
Schedule 13, Part 3	26th May 2015	2015/994
Schedule 13, Part 5	1st October 2015	2015/1732
Schedule 16, paragraph 2	1st January 2016	2015/2074
Schedule 16, paragraphs 4 and 5	1st January 2016	2015/1732
Schedule 18	1st April 2015	2015/994
Schedule 19	29th June 2015	2015/1402
Schedule 20	29th June 2015	2015/1402
Schedule 21 (partially, so far as not already in force)	20th April 2015	2015/994
Schedule 21 (so far as not already in force)	26th May 2015	2015/994

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